

HOUSE No. 861

By Ms. Jehlen of Somerville, petition of Patricia D. Jehlen and others to prevent non-contributing relatives from obtaining death compensation benefits. The Judiciary.

The Commonwealth of Massachusetts

PETITION OF:

Patricia D. Jehlen
Anne M. Paulsen

Benjamin Swan

In the Year Two Thousand and Five.

AN ACT PREVENTING WRONGFUL DEATH CLAIMS BY NON-CONTRIBUTING RELATIVES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 Section 1 of chapter 229 of the General Laws as appearing in
- 2 2002 Official Edition is hereby amended by adding the following
- 3 subsection:—
- 4 (5) If there is no surviving wife or husband the next of kin shall
- 5 not be entitled to recover any compensation for the death of the
- 6 decedent if it can be shown that they were not reliant upon income
- 7 from, or provided no services, care, protection, assistance, society,
- 8 companionship, comfort, guidance, counsel or advice to the dece-
- 9 dent.